

**ADULT FOSTER CARE LICENSING ADVISORY COUNCIL  
MEETING MINUTES**

February 10, 2016  
Ottawa Building  
611 W. Ottawa Street  
Upper Level Conference Room 4  
Lansing, MI 48933

1. **Meeting Called to Order:** Bishop Ira Combs, Chair Person.
2. **Roll Call:** Roll call of council members completed, showing a quorum.
  - a. **Members Present:** Bishop Ira Combs, Robert Davis, Jessica Kross, Kathy Lentz, Deb Mock, Thomas J. Renwick, Robert Stein;
  - b. **Members Absent:** Cheryl Loveday, Deborah McKelvy, H. Elliot Parnes, Danis Russell.
  - c. **Adult Foster Care/Home for the Aged Licensing Staff Present:** Jay Calewarts, Director, AFC/HFA Licensing Division and Mahtina Rubritius, Adult Foster Care Program Consultant, Sally Wilson.
  - d. **Public Attendees:** Linda Lawther, Dan Kosmowski.
3. **Approval of Agenda:** Robert Stein motioned for approval. It was seconded. Agenda approved per common consensus.
4. **Approval of Minutes:** Kathy Lentz motioned for minutes to be approved and Robert Stein seconded. Minutes approved per common consensus.
5. **Public Comments:** N/A
6. **Council Business:**
  - A. **Appointment of Chairperson and Vice Chairperson:**
    - Robert Stein moves that the current Chairperson and Vice Chairperson be re-appointed, supported, approved per common consensus Bishop Ira Combs re-appointed as Chairperson and Kathy Lentz as Vice Chairperson.

\*This is a two year appointment the next appointment will be in February of 2018.

- B. **Robert Stein's 3 part gap analysis:** discussion or general thoughts and observations for people funded through the CMH system. Certification rules were created in 1996 for specialized individuals. Raised the question about the certification rules. Public disclosure to make sure that if facilities are providing special services that they are meeting the proper standards. Concerns about a few residential settings providing services on a private pay

basis. The certification rules were developed and regulated by the Michigan Department of Community Health. The role of monitoring these rules transferred over to Adult Foster Care Licensing. The certification of specialized programs rules ensure that AFC facilities that receive special compensation payments (in addition to the basic payment for Adult Foster Care. Special compensation does not include payment received by the AFC Facility directly from the Medicaid program or payment received from the SSI program) for residents provide the provision of a specialized program. The understanding that those settings that were not deemed to be specialized settings and that were not subject to the certification rules did not qualify for special compensation.

- Robert Stein's handout- Guidance for Collaboration about People Residing in Licensed Adult Foster Care Facilities.
- Kathy Lentz discussion on specialized intensive support facilities; the number of individuals with aggressive or otherwise potentially dangerous behaviors who populate AFC homes in Michigan is a relatively small number. They would like for there to be some sort of specialized rules that suit them in their setting. The goal is to create a category of intensive support for individuals with aggressive or otherwise potentially dangerous behaviors individuals.
- Thomas Renwick discussion regarding certified specialized residential settings- there is a sister rule that has rules in place for the placing agency to provide specialized programming.
- Bishop Ira Combs discussion on quality and licensing facilities for specialized residents- what are the particular rules that cover individuals with specialized needs or high needs. The incentive is higher for licensees having the certifications to provide care for these individuals because the CMH and SSI funding is higher.
- Jay Calewatts comment- most of the facilities are approved for MI and/or DD, about 85%. Not sure if they are all operating a home where all residents require services of a specialized programs.
- Deborah Mock-discussion on most appropriate setting for high needs individuals. Wonder if we could add rules that mirror the CCI rules with regards to secure facilities. If we modified rules, would it conflict with recipient rights?
- Group discussion concerning licensed facilities versus unlicensed facilities. An unlicensed workgroup is being established to help define when legally a license is and is not required. AFC Council

members should contact Jay Calewarts if they would like to participate.

**C. Report on activities of workgroup:** Jay Calewarts-working towards revising and wordsmithing current rules and definitions. The workgroup is meeting again this afternoon to cover Special Certification Rules, would like to have a final draft of proposed changes by August 2016.

**D. AG review/opinion regarding unlicensed settings and scope of authority of AFC Licensing:** Jay Calewarts discussion: Adult Foster Care Licensing was provided AG Division level guidance that supports the bureaus interpretation of the law and are proceeding in accordance with their guidance on unlicensed facilities. Licensing is not obligated to share the AG Division level guidance due to attorney client privilege. In general, if a facility provides all the elements of AFC then a license would be required. The particulars of each facility will be reviewed on a case by case basis to determine if a license is/is not required.

\*Workgroup being established for members of all Council members, representatives from the associations and other interested parties. The objective is to determine legally what facilities require a license. The goal is come into some sort of consensus. Everyone agrees that we want to make sure that all of the residents are receiving proper protection at these facilities. Bishop Ira Combs motioned for Kathy Lentz to be appointed to represent the Council on the workgroup; no objections were received, motion granted.

**7. Division and Bureau updates:** Jay Calewarts provided bureau statistics; bureau and AFC/HFA and Camps Organization Chart provided via-email.

**8. Introduction of New Council Members;** Jessica Kross, Deborah Mock and Thomas Renwick.

**9. Adjournment:** Bishop Ira Combs motioned for adjournment; all in favor, meeting adjourned.

**The next meeting will be scheduled for May 11, 2016 at 10:00am; Upper Level (UL) Conference Room 4; 611 W. Ottawa Street, Lansing, MI 48933.**